

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

JEREMY WALTON HIBBLER,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

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1:24-CV-67-RP  
[1:21-CR-191-RP]

**ORDER**

Before the Court is Petitioner Jeremy Walton Hibbler’s (“Hibbler”) Motion under 28 U.S.C. § 2255 to Vacate, Set Aside, or Correct Sentence. (Dkt. 51). Hibbler filed his motion on January 16, 2024. (*Id.*). The case was referred to United States Magistrate Judge Dustin Howell for findings and recommendations, pursuant to 28 U.S.C. § 636(b). Judge Howell filed his report and recommendation on October 2, 2024. (Dkt. 62). In his report and recommendation, Judge Howell recommends that the Court deny Hibbler’s motion. (*Id.*). As of the date of this order, Hibbler has not filed any objections to the report and recommendation.

A party may serve and file specific, written objections to a magistrate judge’s findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). When no objections are timely filed, a district court can review the magistrate’s report and recommendation for clear error. *See* Fed. R. Civ. P. 72 advisory committee’s note (“When no timely objection is filed, the [district] court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”). Because no party has filed timely objections, the Court reviews the report and recommendation for clear error. Having done so and

finding no clear error, the Court accepts and adopts the report and recommendation as its own order.

Accordingly, **IT IS ORDERED** that the report and recommendation of United States Magistrate Judge Dustin Howell, (Dkt. 62), is **ADOPTED**. Hibbler's Motion under 28 U.S.C. § 2255 to Vacate, Set Aside or Correct Sentence, (Dkt. 51), is **DENIED**.

It is **FURTHER ORDERED** that a certificate of appealability is **DENIED**.

**SIGNED** on November 20, 2024.



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ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE